

HOUSE BILL 3296

By Fitzhugh

AN ACT to amend Tennessee Code Annotated, Title 65,
relative to utilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 65-32-102, is amended by deleting the section in its entirety and by substituting instead the following:

Section 65-32-102. This chapter shall only apply to those counties having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census, and to state government users, including but not limited to the state departments and agencies, located in any county.

SECTION 2. Tennessee Code Annotated, Section 65-32-103, is amended by adding the following language to the end of the section:

"Utility" also means, for the purpose of state government users only, telephone, broadband Internet, cable, cellular, Internet and wireless communication services.

SECTION 3. Tennessee Code Annotated, Section 65-32-104, is amended by deleting the section in its entirety and by substituting instead the following:

(a) A utility shall not discontinue service to a user for nonpayment of services until:

(1) A notice has been mailed to the user stating that service shall be discontinued unless payment is made within a specified time; provided, that if the user is a state government user, such notice must be at least thirty (30) calendar days prior to any disconnection; and

(2) A reasonable, good faith effort is made to notify the user by a utility representative in person that service shall be discontinued on a date certain. Knocking on the door or ringing the doorbell by the utility representative shall constitute a reasonable good faith effort; provided, that the utility representative need not knock or ring at any residence where service has been discontinued within the previous four (4) years. If the user is a state government user, a follow-up letter mailed to the user at least five (5) business days prior to any disconnection shall constitute a reasonable good faith effort.

(b) After the notification procedures described in subsection (a) have been taken and a user does not make payment of the arrearage or make payment arrangements acceptable to the utility, then service to such user may be discontinued.

SECTION 4. This act shall take effect July 1, 2010, the public welfare requiring it and shall apply to contracts entered into or renewed on and after that date.